#3



PATENT

Applicant:

J.J. GARCIA-LUNA-ACEVES; ARINDAM SAMANTA

Serial No.:

09/945,104

Filed:

AUGUST 31, 2001

Title:

CLUSTER-BASED AGGREGATED SWITCHING TECHNIQUE (CAST) FOR ROUTING

DATA PACKETS AND INFORMATION OBJECTS IN COMPUTER NETWORKS

Group:

Examiner: Docket No.

UC2000-385-2

# **COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, SUPPLEMENTAL, NATIONAL STAGE OF PCT, DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART)

As a below named inventor, I hereby declare that:

### TYPE OF DECLARATION

X original (regular)

design

supplemental-continuation of PCT Application in the U.S.

check the next item; check appropriate one of last three items.

\_ national stage of PCT

divisional

\_\_ continuation

\_\_ continuation-in-part

### INVENTORSHIP IDENTIFICATION

WARNING:

NOTE:

If the inventors are each not the inventors of all of the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

If the declaration is for an International Application being filed as a divisional, continuation, or continuation-in-part, do not

My residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention described in

INDICATE IF PCT)   NUMBER   (day, month, year)   UNDER 37 U.S.C. §   119		SPECIFICATIO	N IDENTIFICATION	
was amended by the Preliminary Amendment filed herewith.  [ ] the specification identified above, as amended by the Preliminary Amendment filed herewith.  [X] the specification identified above, and which was amended on	[ ] the specification filed h	erewith by the above-na	med inventors, with the title	listed above.
[ ] the specification identified above, as amended by the Preliminary Amendment filed herewith.  [X] the specification identified above, and which was amended on	[ ] the specification filed h	erewith by the above-na	med inventors, with the title	listed above, and which
[X] the specification identified above, and which was amended on	was amended by the F	Preliminary Amendment f	led herewith.	
[ ] PCT International Application No	[ ] the specification identi	fied above, as amended	by the Preliminary Amendme	ent filed herewith.
ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR  I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.  I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.  PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))  I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or under 35 U.S.C. § 365(b) of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.  X no such applications have been filed.  Such application have been filed as follows.  PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)  COUNTRY (OR APPLICATION FILING DATE UNDER 37 U.S.C. § 119  NUMBER (day, month, year) PRIORITY CLAIMED UNDER 37 U.S.C. § 119	[X] the specification identi	fied above, and which wa	as amended onN/A	
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INDICATE IF PCT)				
YES NOYES NO		· · · · · · · · · · · · · · · · · · ·		
VES NO				YES NO
				•
				YES NO

# CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) (35 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional applications (s) listed below:

PROVISIONAL APPLICATION SERIAL NUMBER FILING DATE OF PROVISIONAL APPLICATION

60/229,646	AUGUST 31, 2000	

# CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATIONS UNDER 35 U.S.C. 120

(complete this part only if this is a divisional, continuation, CIP or national stage of PCT)

I/We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability under 37 C.F.R.§ 1.56, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

## 1. U.S. Applications:

SERIAL NUMBER		FILING DATE	
2. PCT Applications Designati	ng The U.S.		
PCT APPLICATION NUMBER	PCT FILING DATE	U.S. SERIAL NUMBER	

### **POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

John P. O'Banion Registration No. 33,201
James M. Ritchey Registration No. 32,594
Steven L. Smith Registration No. 44,343
Rodger H. Rast Registration No. 45,853

Attached as part of this declaration and power of attorney is the authorization of the above-named attorney to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

**DIRECT TELEPHONE CALLS TO:** 

John P. O'Banion O'BANION & RITCHEY LLP 400 Capitol Mall, Suite 1550 Sacramento, CA 95814

John P. O'Banion (916) 498-1010

### **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor:

Inventor's Signature:

Date: 3-22-02

Country of Citizenship: MEXICO

Residence:

SAN MATEO, CA 94402

P.O. Address:

82 LAKEWOOD CIRCLE SAN MATEO; CA 94402

Full name of	second joint inventor, if any:  ARINDAM SAMANTA
Inventor's Si	gnature: Arundam Samanta
	Country of Citizenship: INDIA
Residence:	PLAYA DEL REY, CA 90293
P.O. Address	8180 MANITOBA STREET, #217 PLAYA DEL REY, CA 90293
CHECK PRO	PER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH FORM A PART OF THIS DECLARATION
_	Signature for third and subsequent joint inventors.  Number of pages added
-	Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor.  Number of pages added
_	Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47.  Number of pages added
~	Signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time under 37 CFR 1.47.  Number of pages added
-	Authorization of attorney(s) to accept and follow instructions from representative.

X This Declaration ends with this page.